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January 21, 2004

The Honorable Benson E. Legg
United States District Court
for the District of Maryland
101 West Lombard Street
Baltimore, Maryland 21201

Re: Civil No.: B-01-103
Garcia, et al v. Kirstien, et al.

Dear Judge Legg:

Please accept this as a Status Report in this case. In accordance with the Scheduling Order issued in this case, the following is the status of the case as of the discovery deadline.

- a. All discovery, including production of documents and party depositions, has been completed.
- b. No motions are currently pending.
- c. All Defendants intend to file summary judgment motions.
- d. This is a jury trial. The anticipated length of the trial is eight (8) days.
- e. Some settlement discussions have taken place.
- f. The parties do not believe it would be helpful to refer this case to another judge of this court for a settlement or other ADR conference.
- g. No other matters are currently outstanding in this case.

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Should the Court require any additional information, or have any questions, please feel free to contact us.

Respectfully yours,

/s/
David F. Albright
Counsel for Plaintiffs

/s/
Patrick Kearney
Counsel for Defendant,
Randolph Habeck

/s/
Craig Roswell
Counsel for Defendants
Ronald Kirstien and
Harvey Rothstein